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7 TERELL GRAY,
8 Plaintiff,
9 v.
10 APPLE INCORPORATED, et al.,
11 Defendants.

Case No.16-cv-04421-HSG

**ORDER RE DEFENDANT'S
ADMINISTRATIVE MOTION**

Re: Dkt. No. 80

12 TO ALL PARTIES AND COUNSEL OF RECORD:

13 On February 7, 2017, Defendant Apple Inc. filed an "Administrative Motion Seeking
14 Clarification of Status of Apple Inc.'s Rule 12(b)(6) Motion to Dismiss." Dkt. No. 80. Defendant
15 highlighted the procedural posture of this case: In November 2016, Plaintiff did not attend the
16 hearing on Defendant's motion to dismiss. Defendant accordingly filed a motion for failure to
17 prosecute. As Defendant acknowledges, the motion to dismiss is still pending before this Court.
18 See Dkt. No. 64. The parties should be prepared to discuss the merits of all pending motions at the
19 hearing set for March 17, 2017, including Defendant's motion to dismiss. This order terminates
20 Docket No. 80.

21 **IT IS SO ORDERED.**

22 Dated: 3/15/2017

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25 HAYWOOD S. GILLIAM, JR.
26 United States District Judge
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